

Congress of the United States
Washington, DC 20515

March 23, 2011

Gwendolyn Keyes Fleming
Region IV Administrator
U.S. Environmental Protection Agency
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Dear Administrator Fleming:

We are encouraged by the recent proposal of the CTS of Asheville site to the National Priorities List and the *remedial* actions that will result from such a listing. The inclusion of the CTS site among the highest priority Superfund locations in America is indicative of the extent of the current contamination and the absolute necessity to exercise full federal authority to clean the site. Long-term remediation efforts are essential to permanently and substantially reduce the impacts of this contamination. However, in light of the short-term potential for this contamination to continue to spread and further endanger the health and safety of our constituents, we ask that comprehensive *removal* actions at this site be implemented with the utmost urgency.

Removal actions at the CTS site have thus far followed one of three courses of action recommended in Section V.A1. of the 2002 Action Memorandum, which was submitted by Dr. James Webster and is enclosed for your convenient reference. Since 2006, the Agency has chosen to implement "*insitu* treatment of contaminated soil" via a soil vapor extraction system (SVE).

EPA will now evaluate the success of this system to determine whether an alternative option from the 2002 Action Memorandum should be implemented. Preliminary reports lead us to believe that the system has done little to remove contaminants or prevent the spread of these contaminants. In fact, this system has been inoperative for the past nine months—something that EPA failed to bring to our attention or the attention of nearby residents until very recently.

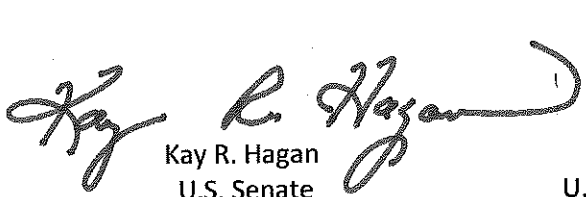
As such, we encourage you to expedite the SVE review process and move swiftly to implement the most aggressive method of removing contaminated soil from this site that the law will allow. We would ask that a representative of the community affected by the CTS contamination be allowed to participate in the planning of this site assessment. Our offices are willing to work with you to identify an appropriate representative who has extensive knowledge of the site and could be helpful in representing the views of nearby residents in the assessment process.

As the EPA works to assess the current state of the site and begins to consider a more aggressive plan for removal action, we ask that you provide each of us with a basic timeline indicating the targeted date of completion for your review and each successive step of the resulting plan. While we understand that unforeseen circumstances can delay a project as sizeable and complex as this one, we are confident that a basic timeline will encourage the EPA to complete removal activities as quickly as possible and will assure residents that the Agency is in fact taking swift action to protect their health and safety. We would also encourage you to consult with a representative of the community while the remedial plan is being developed.

Finally, we ask that you make every effort to provide municipal water services to residents whose wells are most at risk of being exposed to contaminants associated with this site. It is our hope that this measure could be pursued as part of the removal action plan, as it addresses a potential emergency situation and must be dealt with as quickly as possible. The alternative for these families is to purchase bottled water indefinitely for drinking and cooking, something that many of these residents have had to do at their own expense for a decade.

We appreciate your close attention to this matter, and ask that you utilize all resources available to Region IV to expedite removal actions at the CTS site. We consider the public health threat posed by contamination at this site to be a true emergency, and ask that it be treated with the urgency it deserves. If you would like to discuss this further, please contact Ryan Fitzpatrick in the office of Congressman Heath Shuler at ryan.fitzpatrick@mail.house.gov, Perrin Cooke in the office of Senator Kay Hagan at perrin_cooke@hagan.senate.gov, or John Mitchell in the office of Senator Richard Burr at john_mitchell@burr.senate.gov.

Sincerely,



Kay R. Hagan
U.S. Senate



Heath Shuler
U.S. House of Representatives



Richard Burr
U.S. Senate